



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

July 31, 1990

Ms. Rosalinda Garcia
Assistant County Attorney
Harris County
1001 Preston, Suite 634
Houston, Texas 77002

OR90-347

Dear Ms. Garcia:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9611.


The sheriff of Harris County received an open records request for, inter alia, the payroll and personnel files of several named employees of the sheriff. We have considered the exception you claimed, specifically section 3(a)(3), and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 551 (1990), resolves your request.

Because the requested information clearly relates to a pending discrimination lawsuit against the county, you may withhold the requested information, but only to the extent that the information has not been previously made available to the requestor. See Open Records Decision Nos. 349, 320 (1982). If the requestor has seen or had access to any of the information in these records, there would be no justification for now withholding that information at this time. This letter ruling does not address the extent to which the county has waived the right in the future to withhold other information that has been released to the requestor pursuant to the current request.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a

published open records decision. If you have questions about this ruling, please refer to OR90-347.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/RWP/le

Ref.: ID# 9611
ID# 9722

cc: Beatrice Mladenda-Fowler
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